

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

The Abstract is amended by the present response to delete the noted legal phraseology. Further, the specification is amended by the present response to correct minor informalities. The changes made to the specification are deemed to be self-evident from the original disclosure, and thus are not deemed to raise any issues of new matter.

Claims 5, 8, 11, and 12 are amended by the present response to address the claim objections noted in paragraph 2 of the Office Action. With respect to the objection to claims 5, 8, 11, and 12 noted in paragraph 2 of the Office Action, those claims are amended by the present response to now more simply refer to “a pump”, which amendments are also believed to address the objection noted in paragraph 2 of the Office Action.

Claims 1-12 are pending in this application. Claims 1, 2, 5, 7, and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over JP 2002-278242 to Yazaki et al. (herein “Yazaki”) in view of U.S. Patent 6,507,723 to Zalewski. Claims 3, 4, 8-10, and 12 are allowed. Claim 6 was objected to as dependent upon a rejected base claim, but was noted as allowable if rewritten in independent form to include all of the limitations of its base claim and any intervening claims.

Initially, applicants gratefully acknowledge the early indication of the allowable subject matter in claims 3, 4, 6, 8-10, and 12.

Addressing now the rejection of claims 1, 2, 5, 7, and 11 under 35 U.S.C. § 103(a) as unpatentable over Yazaki in view of Zalewski, that rejection is traversed by the present response.

Each of independent claims 1, 5, and 11 is amended by the present response to clarify features recited therein. Specifically, those claims clarify that the variable air pump varies an

amount of air to be fed for a unit time “based on an amount of toner in the toner container”.

That feature is believed to distinguish over the applied art.

As discussed in the present specification for example at page 3, lines 10-21, it has been customary to feed air at a constant flow rate without regard to the amount of toner remaining in a soft container. The present inventor recognized that operation can result in problems when the amount of toner remaining in the container is either too great or too small. One feature in the above-noted claims as now clarified is to vary the flow rate of air based on the amount of toner remaining in the container, so that thereby an amount of air can match the amount of toner remaining in the container, which can prevent inadequate agitation and can avoid excessive air feed.¹

The above-noted features clarified in the claims are believed to be neither taught nor suggested by Yazaki nor Zalewski. That is, neither Yazaki nor Zalewski is believed to disclose varying the amount of air fed into a toner container “based on the amount of toner in the toner container”.

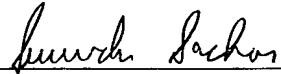
Thereby, applicants respectfully submit each of claims 1, 2, 5, 7, and 11, are also allowable over the applied art.

¹ See also for example the present specification at page 15, lines 9-17.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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